



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS  
(OCTOBER 6 2020) (WEEK 41 OF 2020)**

Live streaming at:  
<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:  
[www.woodburycountyiowa.gov](http://www.woodburycountyiowa.gov)

**Live telephonic access at: 712-224-6014**

Rocky L. De Witt 253-0421 <a href="mailto:rdewitt@woodburycountyiowa.gov">rdewitt@woodburycountyiowa.gov</a>	Marty J. Pottebaum 251-1799 <a href="mailto:mpottebaum@woodburycountyiowa.gov">mpottebaum@woodburycountyiowa.gov</a>	Keith W. Radig 560-6542 <a href="mailto:kradig@woodburycountyiowa.gov">kradig@woodburycountyiowa.gov</a>	Matthew A. Ung 490-7852 <a href="mailto:matthewung@woodburycountyiowa.gov">matthewung@woodburycountyiowa.gov</a>	Justin Wright 899-9044 <a href="mailto:jwright@woodburycountyiowa.gov">jwright@woodburycountyiowa.gov</a>
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held October 6, 2020 at **4:30 p.m.** in the basement of the courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board.

1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, your remarks may be limited to three minutes on any one item.
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please silence cell phones and other devices while in the Board Chambers.

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## **AGENDA**

**4:30 p.m.** Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

- |                           |             |
|---------------------------|-------------|
| 1. Citizen Concerns       | Information |
| 2. Approval of the agenda | Action      |

### **Consent Agenda**

**Items 3 through 7 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.**

3. Approval of the minutes of the September 29, 2020 meeting
4. Approval of claims
5. Board Administration – Karen James  
Approval of resolution for a tax suspension for K.B.
6. Board Administration – Heather Satterwhite  
Approval of Notice of Property Sale Resolution for Parcel #894825205034 (aka 3611 W. 4<sup>th</sup> St. Cir.) for Tuesday, October 20<sup>th</sup> at 4:35 p.m.

7. Human Resources – Melissa Thomas
  - a. Approval of Memorandum of Personnel Transactions
  - b. Presentation of Award Certificate to Cynthia Wiemold

### **End Consent Agenda**

8. SafePlace – Robin McGinty  
Approval of and presentation of proclamation for “Domestic Violence Awareness Month” Action
  
9. Community & Economic Development – David Gleiser
  - a. Receive the Zoning Commission’s recommendation and final report from their 9/28/20 meeting to approve the final plat Action
  - b. Approve the Anderson’s Country Estates, Minor Subdivision plat with the condition an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward in the future, and authorize the Chairman to sign the resolution Action
  
10. Building Services – Kenny Schmitz
  - a. Approval of form of contract, plans, and specifications for the Courthouse Chiller Project to be used in the competitive bid process Action
  - b. Approval to set Woodbury County Chiller Project hearing date of October 13<sup>th</sup> at 4:45 p.m. at the Woodbury County Courthouse Board of Supervisors Meeting Room lower level Action
  
11. Secondary Roads – Mark Nahra  
Approve contract for PCC Patching project number: PCC Patching 2020 Action
  
12. Reports on Committee Meetings Information
  
13. Citizen Concerns Information
  
14. Board Concerns Information

### **ADJOURNMENT**

*Subject to Additions/Deletions*

## CALENDAR OF EVENTS

- MON., OCT. 5 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., OCT. 6 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., OCT. 7 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- THU., OCT. 8 12:00 p.m.** SIMPCO Board of Directors, Zoom
- 4:00 p.m.** Conservation Board Meeting, Bigelow Park/Brown's Lake
- SAT., OCT. 10 12:00 p.m.** SIMPCO Regional Policy & Legislative Affairs Committee, Location TBD
- WED., OCT. 14 8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- 10:00 a.m.** STARComm Board Meeting, The Security Institute, WIT Campus
- THU., OCT. 15 4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., OCT. 16 12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- WED., OCT. 21 12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- THU., OCT. 22 11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- MON., OCT. 26 6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., OCT. 27 2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., OCT. 28 2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- MON., NOV. 2 6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- TUE., NOV. 3 4:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- WED., NOV. 4 9:00 a.m.** Loess Hills Alliance Protection Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Stewardship Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting
- THU., NOV. 5 10:00 a.m.** COAD Meeting, The Security Institute

**Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.**

*Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.*

**September 29, 2020, FORTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors met on Tuesday, September 29, 2020 at 4:30 p.m. Board members present were Pottebaum, Radig, De Witt, Ung, and Wright. Staff members present were Karen James, Board Administrative Assistant, Melissa Thomas, HR Director, Dennis Butler, Budget/Tax Analyst, and Patrick Gill, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

1. Chief Judge Duane Hoffmeyer updated the Board on the needs of the Judiciary as services resume.
2. Motion by Ung second by De Witt to approve the agenda for September 29, 2020, Carried 5-0. Copy Filed.

Motion by Ung second by De Witt to approve the following items by consent:

3. To approve minutes of the September 22, 2020 meeting. Copy filed.
4. To approve the claims totaling \$749,960.68. Copy filed.
- 5a. To approve the separation of Dan Harstad, Civilian Jailer, County Sheriff Dept., effective 11-17-20. Resignation.; the reclassification of Austin Svendsen, Civilian Jailer, County Sheriff Dept., effective 10-11-20, \$21.29/hour, 4%=\$.83/hour. Per CWA Civilian Officers Contract agreement, from Class 3 to Class 2.; and the reclassification of Jason Kurtz, Youth Worker, Juvenile Detention Dept., effective 10-12-20, \$28.07/hour, 6.5%=\$1.72/hr. Per AFSCME Juvenile Detention Contract agreement, from Grade 1/Step 5 to Grade 1/Step 6. Copy filed.
- 5b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Custodian, Building Services Dept. AFSCME Courthouse: \$15.55/hour.; for Custodian, County Sheriff Dept. AFSCME Courthouse: \$15.55/hour.; and for Civilian Jailer, County Sheriff Dept. CWA: \$20.46/hour. Copy filed.
- 5c. To approve the transfer of the appropriate funds remaining for FY 20/21 of one full time custodian from Building Services to the Sheriff's Office. Copy filed.
- 6a. To approve the utility permit for MidAmerican Energy on 170<sup>th</sup> and Union Avenue in Rock Township south of Cushing. Copy filed.
- 6b. To approve the underground utility permit for Western Iowa Telephone for fiber optic cable in Grant Township. Copy filed.
- 6c. To approve the underground utility permit for Western Iowa Telephone for fiber optic cable in Wolf Creek Township along D38 and Jasper Avenue. Copy filed.

Carried 5-0.

7. Motion by Radig second by Ung to direct the Community & Economic Development Director to work with SIMPCO and develop an agreement between the County and SIMPCO which state the project scope, expected deliverables, and cost/payment details. Carried 5-0. Copy filed.
8. Motion by Pottebaum second by Radig to authorize the Chairperson to sign Center for Tech and Civic Life grant for the public purpose "Planning and Operationalizing Safe and Secure Elections in Woodbury County" for the 2020 general election in the amount of \$156,112.00. Carried 5-0. Copy filed.
9. The Board heard reports on committee meetings.
10. There were no citizen concerns.
11. Board concerns were heard.

The Board adjourned the regular meeting until October 6, 2020.



Meeting sign in sheet. Copy filed.

**WOODBURY COUNTY, IOWA  
BOARD ADMINISTRATION  
MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Karen James, Board Administrative Assistant  
**RE:** Consideration of a Petition for a Tax Suspension  
**DATE:** October 1, 2020

Please consider this request for a tax suspension for K.G-B If the Board approves this request, the suspension resolution requires the chairman's signature

Thank you.

kmj

**RESOLUTION #****NOTICE OF PROPERTY SALE****Parcel #894825205034**

**WHEREAS** Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Lot Three (3) in Block Eight (8) of Golf View Addition, City of Sioux City, Woodbury County, Iowa (3611 W. 4<sup>th</sup> St. Cir.)**

**NOW THEREFORE,**

**BE IT RESOLVED** by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **20<sup>th</sup> Day of October, 2020 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate on the **20<sup>th</sup> Day of October, 2020**, immediately following the closing of the public hearing to the **City of Sioux City only per Code of Iowa 331.361(2)**.
3. That said Board proposes to sell the said real estate to the **City of Sioux City only for consideration of \$1.00 plus recording fees**.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 6<sup>th</sup> Day of October, 2020

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

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Patrick F. Gill  
Woodbury County Auditor  
and Recorder

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Matthew A. Ung, Chairman

REQUEST FOR MINIMUM BID

Name: City of Sioux City Date: 7/30/2020  
Address: 405 6<sup>th</sup> St. Phone: 579-6971

Address or approximate address/location of property interested in:  
3611 W. 4<sup>th</sup> St. Cir.

GIS PIN # 8948 25205034

*\*This portion to be completed by Board Administration \**

Legal Description:

Lot Three in Block Eight of  
Golf View Addition, City of Sioux City,  
Woodbury County, Iowa

Tax Sale #/Date: #94 12/6/66 Parcel # 18666S

Tax Deeded to Woodbury County on: 5/8/68

Current Assessed Value: Land \$100<sup>-</sup> Building Ø Total \$100<sup>-</sup>

Approximate Delinquent Real Estate Taxes: N/A

Approximate Delinquent Special Assessment Taxes: N/A

\*Cost of Services: N/A

Inspection to: Matthew Ung Date: 7/30/2020

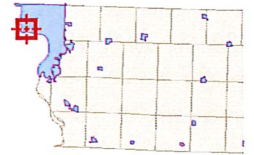
Minimum Bid Set by Supervisor: \$1

Date and Time Set for Auction: Tuesday, October 20<sup>th</sup> @ 4:35

\* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



Overview



Legend

- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels

Parcel ID	894825205034	Alternate ID	186165	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	3611 W 4TH ST CIR	Acreage	n/a		SIOUX CITY IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	GOLF VIEW LOT 3 BLK 8				
	(Note: Not to be used on legal documents)				

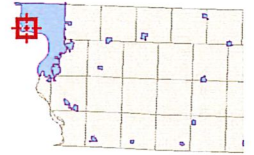
Date created: 7/30/2020  
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Developed by Schneider  
 GEOSPATIAL





Overview



Legend

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	SIOUX CITY				
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Developed by Schneider  
 GEOSPATIAL



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 10/01/20 Weekly Agenda Date: 10/06/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Melissa Thomas

**WORDING FOR AGENDA ITEM:**

Presentation of Award Certificate to Cynthia Wiemold.

**ACTION REQUIRED:**

- Approve Ordinance
- Approve Resolution
- Approve Motion
- Public Hearing
- Other: Informational
- Attachments

**EXECUTIVE SUMMARY:**

Presentation of Award Certificate for 4 hours of Paid Time Off to Cynthia Wiemold.

**BACKGROUND:**

On 6-16-15 the Board of Supervisors approved the participation of Woodbury County employees in the City of Sioux City Blood Drives and to provide the same incentive of four hours of paid time off to employees who reach gallon milestones. Recipients of this award have been kind enough to donate to the blood bank for the benefit of others.

**FINANCIAL IMPACT:**

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

**ACTION REQUIRED / PROPOSED MOTION:**



**CERTIFICATE OF AWARD**  
**FOUR (4) HOURS OF PAID TIME OFF**  
**AWARDED TO**  
**CYNTHIA WIEMOLD**

**FOR THE GENEROUS DONATION OF 16 GALLONS TO THE LIFESERVE BLOOD CENTER  
(TIME OFF MUST BE REDEEMED WITHIN SIX MONTHS FROM THE DATE BELOW)**

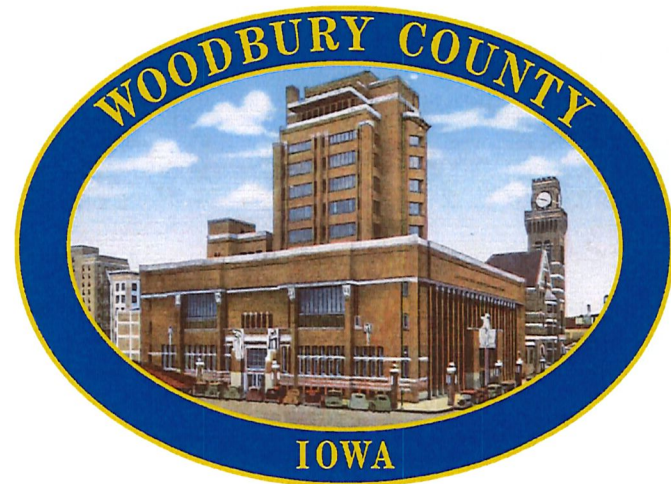
*Matthew Ung*, Board of Supervisors, Chairman

*Rocky De Witt*, Board of Supervisors

*Marty Pottebaum*, Board of Supervisors

*Keith Radig*, Board of Supervisors

*Justin Wright*, Board of Supervisors



*October 6, 2020*

**WOODBURY COUNTY, IOWA**

**RESOLUTION NO. \_\_\_\_**  
- - -

***PROCLAMATION***

WHEREAS, domestic violence is a serious crime affecting individuals and families in all Siouxland communities; all races, ages, income levels, lifestyles and sexes; and in fact is probably affecting someone you know; and every 9 seconds someone experiences the crime of domestic violence; and

WHEREAS, one in three women will be a victim of violence in her lifetime; domestic violence violates an individual’s human rights by destroying dignity, security, and self-worth due to the systematic use of physical, emotional, sexual, psychological, and economic control or abuse; SafePlace works every day to help end these acts of violence and to help rebuild the lives of the survivors; and

WHEREAS, in Siouxland, SafePlace is available 24 hours a day and last year responded to nearly 2000 victims, provided 11,026 nights of shelter to 413 adults and 305 children fleeing domestic abuse and despite high census, no one in an unsafe situation was turned away; and

WHEREAS, the impact of domestic violence affects all of the members of the community, and only a coordinated community response will put a stop to these atrocious crimes and assure funding is continuously available to provide these life-saving services; and

NOW, THEREFORE, I, Matthew Ung, Chairman, on behalf of the Woodbury County Board of Supervisors, do hereby proclaim the month of October, 2020 as

*“DOMESTIC VIOLENCE AWARENESS MONTH”*

in Woodbury County, Iowa and urge all citizens to actively participate in the scheduled events and programs and to think about the fact that it is someone you know.

BE IT SO RESOLVED this 6<sup>th</sup> day of October, 2020.

WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Matthew A. Ung, Chairman

\_\_\_\_\_  
Justin D. Wright, Member

\_\_\_\_\_  
Marty Pottebaum, Member

\_\_\_\_\_  
Rocky L. De Witt, Member

\_\_\_\_\_  
Keith W. Radig, Member

Attest:

\_\_\_\_\_  
Patrick F. Gill, Woodbury County Auditor

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

**#9**

Date: 10/1/20 Weekly Agenda Date: 10/6/20

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Approval of Final Plat for the Anderson's Country Estates, a Minor Subdivision

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Supervisors will receive the Zoning Commission's recommendation and final report on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

Gregory and Carolyn Anderson, owners of Parcel #894603400008, located in T89N R46W (Concord Township) in the SE ¼ of the SE ¼ of Section 3, (1779 110th Street, Sioux City, IA 51108) propose to split their parcel into two lots (Lot 1 – 3.46 total acres; Lot 2 – 5.43 total acres) to establish the Anderson's Country Estates subdivision for the purpose of establishing a new residence on the proposed Lot 1. The property is located in the Agricultural Estates (AE) Zoning District and is not located in the floodplain. The current and proposed use of the property are allowed under the Zoning Ordinance. All required legal notifications were made and all relevant agency stakeholders and property owners were notified of this request and related public hearings (due to it's location, extra-territorial review was not required). As of 10/1/20, no objections for this request have been received. On 9/28/20, the Zoning Commission voted 3-0 to recommend approval of the final plat as proposed with the condition an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward in the future.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the Zoning Commission's recommendation and final report from their 9/28/20 meeting to approve the final plat.

Approve the plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the Zoning Commission's recommendation and final report from their 9/28/20 meeting to approve the final plat.

Motion to approve the Anderson's Country Estates, Minor Subdivision plat with the condition an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward in the future, and authorize the Chairman to sign the resolution.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser - Director - dgleiser@woodburycountyia.gov  
 Dan Priestley - Zoning Coordinator - dpriestley@woodburycountyia.gov  
 Dawn Norton - Sr. Clerk - dnorton@woodburycountyia.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

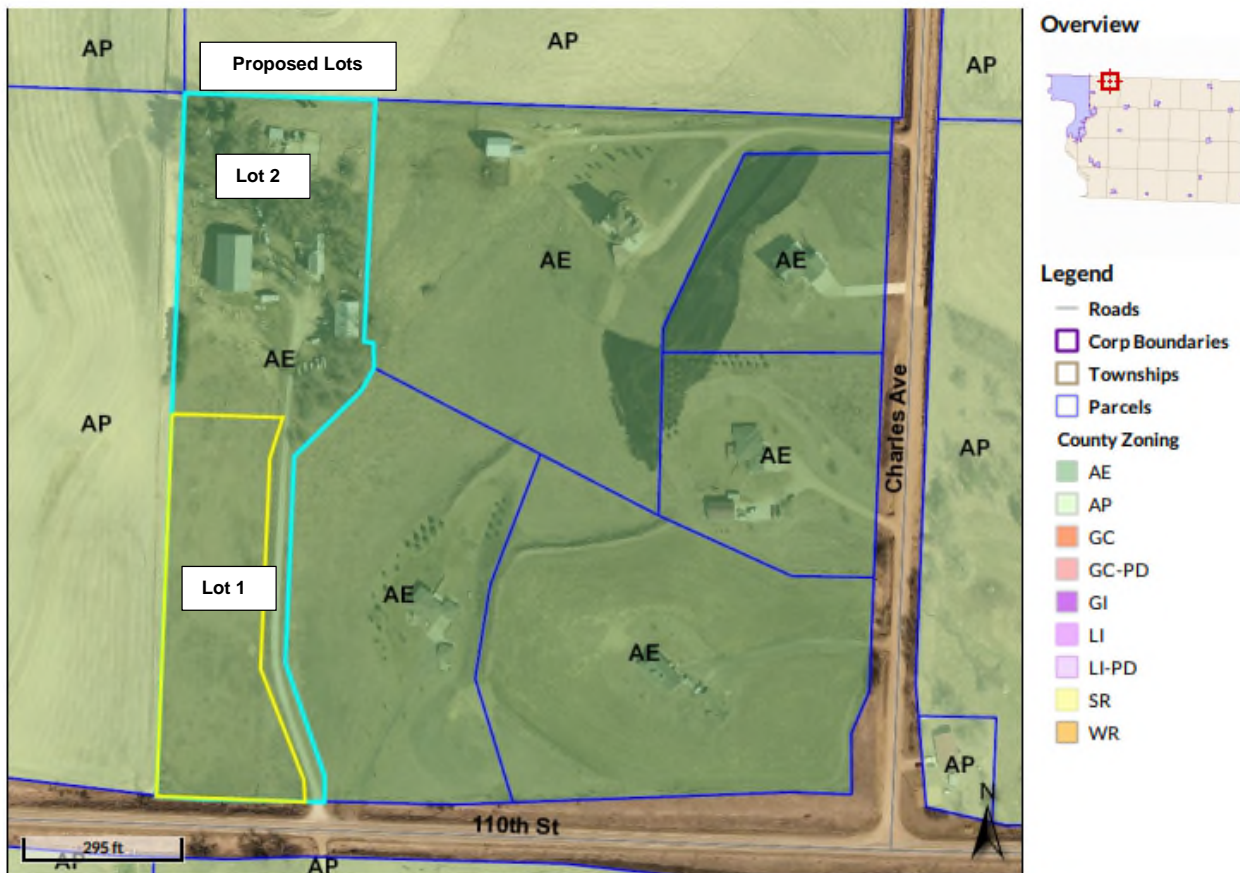
# ANDERSON'S COUNTRY ESTATES

## MINOR SUBDIVISION PROPOSAL

Parcel #894603400008

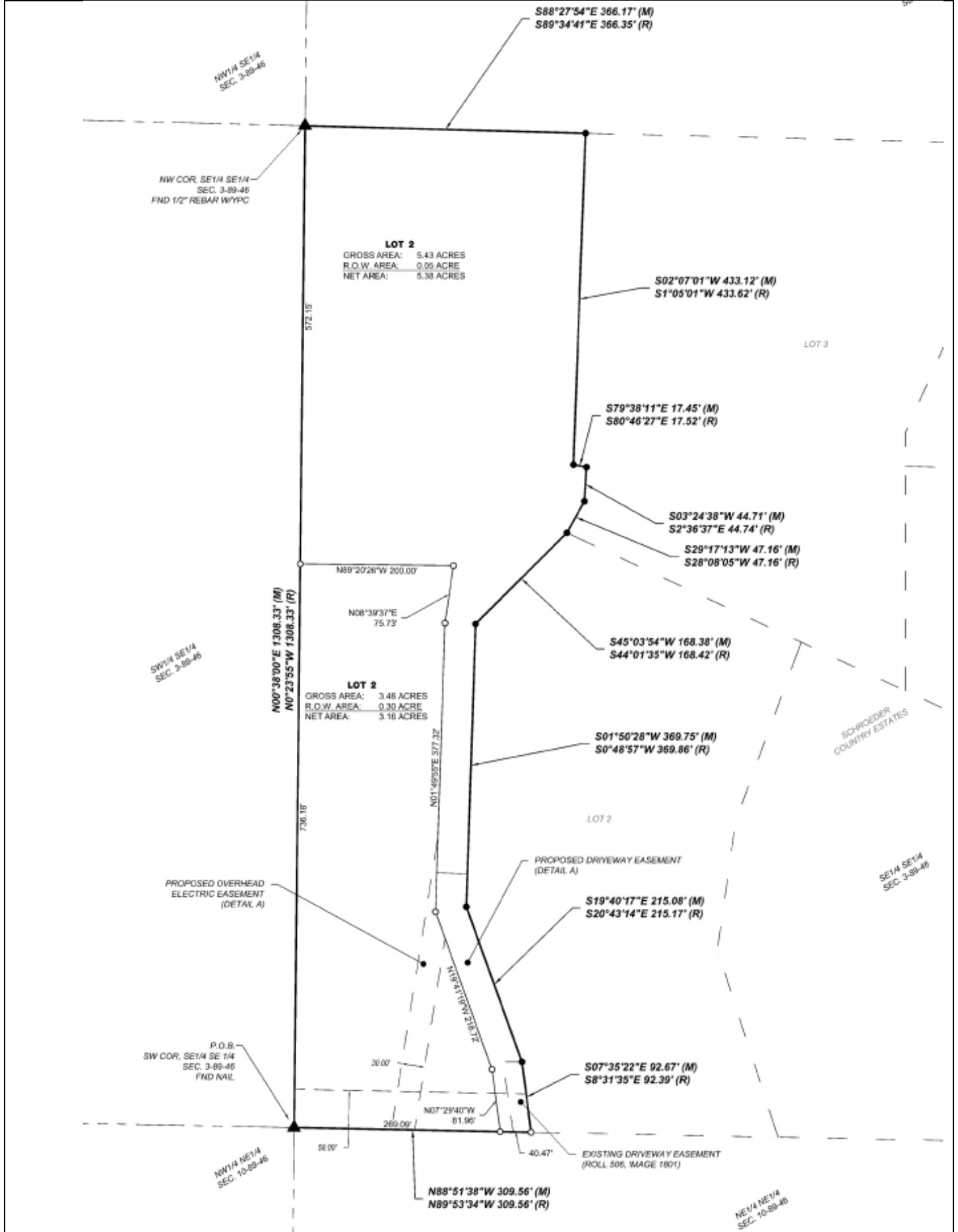
### FACTS OF THE CASE

Gregory M. Anderson and Carolyn R. Anderson have submitted a minor subdivision application to split their parcel into two lots (Lot 1 – 3.46 total acres; Lot 2 – 5.43 total acres) to establish the Anderson's Country Estates subdivision for the purpose of establishing a residence on the proposed Lot 1. The property is identified as Parcel #894603400008 and located in T89N R46W (Concord Township) in the SE ¼ of the SE ¼ of Section 3. The address is 1779 110<sup>th</sup> Street, Sioux City, IA 51108. The property is located in the Agricultural Estates (AE) Zoning District and is not located in the floodplain. The proposed lots and existing structures on Lot 2 meet the requirements of the Woodbury County Zoning Ordinance including and not limited to the Zoning District Dimensional Standards of Section 3.04.



Parcel ID	894603400008	Alternate ID	873211	Owner Address	ANDERSON GREGORY M & CAROLYN R
Sec/Twp/Rng	3-89-46	Class	R		1779 110TH ST
Property Address	1779 110TH ST	Acres	8.55		SIOUX CITY IA 51108
	SIOUX CITY				
District	0025				
Brief Tax Description	AN IRREG TCT IN W1/2 SESE BEING 1308.33' ON WX 366.35' ON NXX 309.56 FT ON S 3-89-46 8.897 GROSS AC 8.546 NET AC				
	(Note: Not to be used on legal documents)				

**PLAT EXCERPT**





## EXTRATERRITORIAL REVIEW

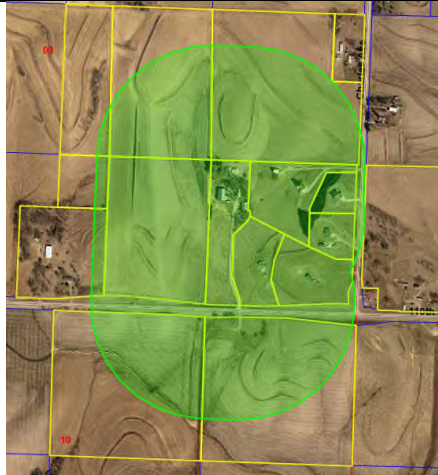
This property is further than two (2) miles from any incorporated area and does not require extraterritorial review under Iowa Code, Section 359.9.

## LEGAL NOTIFICATION

Published in the Sioux City Journal's Legals Section on September 12, 2020.

**NOTICE REGARDING PUBLIC HEARING**  
**WOODBURY COUNTY ZONING COMMISSION**  
 The Zoning Commission will hold a public hearing on Monday, September 28, 2020 during their meeting which begins at 6:00 PM. In accordance with Iowa Code Section 21.8, the Woodbury County Zoning Commission will hold an electronic meeting and public hearing for the items hereinafter described in detail, as it is necessary to protect the public from the possible spread of the novel coronavirus, and conducting an in-person meeting at such time is impossible or impractical. Public access to the conversation of the meeting will be made available during the meeting by telephone. Persons wanting to participate in the public hearing may call: (712) 454-1133 and enter the Conference ID: 827 794 794# during the meeting to listen or comment.  
**Item One (1)**  
**PROPOSED MINOR SUBDIVISION:** To be known as Anderson's Country Estates - a minor subdivision in an 8.55 acre portion of the SE ¼ of the SE ¼ of Section 3, T89N R46W (Concord Township), on Parcel #89-803-40008, Woodbury County, Iowa. The parent parcel is located about 3.7 miles east of Sioux City and 5.5 miles northwest of Lawton. Applicant(s): Gregory M. Anderson & Carolyn R. Anderson, Property Address, 1779 110th St., Sioux City, IA 51108. Published in the Sioux City Journal September 12, 2020. LGL#33211

## PROPERTY OWNER(S) NOTIFICATION – 1000'



The 13 property owners within 1,000'; and listed within the certified abstractor's affidavit; were notified by a September 9, 2020 letter of the public hearing.

As of September 23, the Community and Development office has not received written comment from any property owner owning property within 1,000'. The names of the property owners are listed below.

When more comments are received after the printing of this packet, they will be provided at the meeting.

Property Owner(s)	Parcel #	Mailing Address	Comments
David R. & Deanne M. McKenna	894603400012	1079 Charles Ave. Sioux City, IA 51108	No comments.
Eldon & Paula Cleveland	894603400011	1783 110th St., Sioux City, IA 51106	No comments.
Lonnie M. Kneiff	894603400014	1091 Charles Ave. Sioux City, IA 51108	No comments.
James & Dawn Boeshart	894603400013	1085 Charles Ave. Sioux City, IA 51108	No comments.
Lowell E. Gard Family Trust - Roger Gard Trustee	894602300004	1827 110th St. Sioux City, IA 51106	No comments.
Gard Residuary Trust	894610200001, 894610200002	1215 Carroll Ave. Sioux City, IA 51108	No comments.
Shirley L. Westphalen 2018 Declaration of Trust	894603400001, 894603400005	1476 110th St. Sioux City, IA 51108	No comments.
Wilbur E. Lieber Rev. Trust & Donna B. Rev. Trust	894603400002, 894603400007	1122 Dallas Ave. Sioux City, IA 51108	No comments.
Roger P. & Janice B. Hinrichsen	894603400004	1061 Charles Ave. Sioux City, IA 51109	No comments.
Timothy J. & Paul A. Krom c/o Kriener Farm Mgt.	894603400003	4110 Floyd Blvd. Sioux City, IA 51108	No comments.
Mark Edward Williams & Jamey John Williams	894603400006	1902 110th St. Sioux City, IA 51108	No comments.
Gregory M. & Carolyn R. Anderson	894603400008	1779 110th St. Sioux City, IA 51108	No comments.
Ty Tadlock & Shari Dekker	894603400010	1095 Charles Ave. Sioux City, IA 51108	No comments.

## STAKEHOLDER COMMENTS

The following departments/agencies/utilities were provided copies of the application materials for review. Responses noted are as of September 23, 2020. When more comments are received after the printing of this packet, they will be provided at the meeting.

911 COMMUNICATIONS CENTER:	I have no issues with this. – Glen Sedivy, 9/2/20.
CENTURYLINK:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	No comments.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No comments.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	Northern has no easements in this area. – Tom Hudson, 9/2/20.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this location and NIPCO does not have any electrical facilities in or around this property. NIPCO is okay with this request. – Jayme Huber, 9/2/20.
NUSTAR PIPELINE:	As far as Nustar is concern. no conflict with Nustar. – Domingo Torres, 9/3/20.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No issues. Thank you. – Gary Brown, 9/3/20.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	<b>SEE REVIEW MEMO BELOW.</b>
WOODBURY COUNTY RECORDER:	No issues form me thank you. – Diane Swoboda Peterson, 9/2/20.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	We have no comments. – Kent Amundson, 9/2/20.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comment regarding this subdivision. – Neil Stockfleth, 9/2/20.
WOODBURY COUNTY TREASURER:	The taxes are current as of September 17, 2020. “Yes, they were paid just yesterday. \$0.00 Balance this morning.” – Janet Trimpe, 9/18/20.

## WOODBURY COUNTY ENGINEER REVIEW MEMO:

### Woodbury County Secondary Roads Department

759 E. Frontage Road • Moville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: September 17, 2020

Subject: Anderson Country Estates – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision application forwarded with your memo dated September 2, 2020.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa when the measured bearings were used. An error was noted in the recorded description for the whole parcel. The error was found in a single line call and was discussed with the surveyor. It is recommended that an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward into the future.
- I reviewed the parcel for access. The existing driveway for the parcel is proposed for use by both lots 1 and 2. It barely meets minimum sight distance requirements for single lot use. I concur with the request to use it as the access for both lots due to the infeasibility of constructing another driveway due to the height of the road grade compared to the comparatively low elevation of lot 1. If, at some point in the future, the new lot 1 would like a private driveway, any proposed location will have to be reviewed by the secondary road department.

- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

## STAFF ANALYSIS AND RECOMMENDATION

Subject to public testimony at the public hearing that might raise any issues with the information presented about this request, staff recommends approval of the Anderson's Country Estates Minor Subdivision. Staff also recommends that "an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward in the future."

## ZONING COMMISSION RECOMMENDATION

The Woodbury County Zoning Commission voted 3-0 to recommend approval of the Anderson's Country Estates minor subdivision plat with the condition that "an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward in the future."

### Minutes - Woodbury County Zoning Commission Meeting – September 28, 2020

The Zoning Commission (ZC) meeting convened on the 28th of September 2020 at 6:00 PM via teleconference due to the social distancing recommendations as a result of the COVID-19 virus.

ZC Members Present (Telephone):	Chris Zellmer Zant, Tom Bride, Barb Parker
County Staff Present:	David Gleiser, Dan Priestley, Andy Pietz
Public Present (Telephone):	Matt Ott, Adam Jablonski, Kyle Spöcketer, Justen Jensen, Greg Anderson

#### Call to Order

Chair Zellmer Zant formally called the meeting to order at 6:00 PM.

#### Public Comment on Matters Not on the Agenda

No public comment for non-agenda items.

#### Approval of Minutes

The August 24, 2020 minutes were approved. Motion by Commissioner Bride to approve; second by Commissioner Parker. Motion passed 3-0.

#### Minor Subdivision Public Hearing – Anderson's Country Estates

Priestley delivered the staff report for the Anderson's Country Estates minor subdivision proposal. Property owners Gregory M. Anderson and Carolyn R. Anderson have submitted a minor subdivision application to split their parcel into two lots (Lot 1 – 3.46 total acres; Lot 2 – 5.43 total acres) to establish the Anderson's Country Estates subdivision for the purpose of establishing a residence on the proposed Lot 1. The property is identified as Parcel #894603400008 and located in T89N R46W (Concord Township) in the SE ¼ of the SE ¼ of Section 3. The address is 1779 110th Street, Sioux City, IA 51108. The property is located in the Agricultural Estates (AE) Zoning District and is not located in the floodplain. The proposed lots and existing structures on Lot 2 meet the requirements of the Woodbury County Zoning Ordinance including and not limited to the Zoning District Dimensional Standards of Section 3.04. Commissioner Bride inquired whether Lot 1 would have appropriate easement access for a drive from Lot 2. Commissioner Parker also shared the same concerns. Surveyor Justin Jensen confirmed there was up to 400 FT access. A motion was made by Commissioner Bride to approve the minor subdivision with the condition an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward in the future; second by Commissioner Parker. Motion passed 3-0.



**Summary**

Parcel ID 894603400008  
 Alternate ID 873211  
 Property Address 1779 110TH ST  
 SIOUX CITY IA 51108  
 Sec/Twp/Rng 3-89-46  
 Brief AN IRREG TCT IN W1/2 SESE BEING 1308.33' ON W X 366.35' ON N X X 309.56 FT ON S 3-89-46 8.897 GROSS  
 Tax Description AC 8.546 NET AC  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 253-2349 (11/27/1991)  
 Gross Acres 8.55  
 Net Acres 8.55  
 Adjusted CSR Pts 0  
 Class R - Residential  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
 District N/A  
 School District LAWTON BRONSON  
 Neighborhood N/A  
 Main Area Square Feet N/A



**Owner**

<b>Deed Holder</b>	<b>Contract Holder</b>	<b>Mailing Address</b>
Anderson Gregory M & Carolyn R 1779 110th St Sioux City IA 51108		

**Land**

Lot Area 8.55 Acres ; 372,438 SF

**Residential Dwellings**

**Residential Dwelling**  
 Occupancy Single-Family / Owner Occupied  
 Style 1 Story Frame  
 Architectural Style N/A  
 Year Built 1910  
 Condition Normal  
 Roof Asph / Hip  
 Flooring  
 Foundation C Blk  
 Exterior Material Vinyl  
 Interior Material Plus  
 Brick or Stone Veneer  
 Total Gross Living Area 1,600 SF  
 Attic Type 1/2 Finished; 280 SF  
 Number of Rooms 0 above; 0 below  
 Number of Bedrooms 0 above; 0 below  
 Basement Area Type Full  
 Basement Area 1,600  
 Basement Finished Area 800 - Standard Finish  
 Plumbing 1 Base Plumbing (Full ; 1 Half Bath);  
 Appliances 1 Dishwasher;  
 Central Air Yes  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Enclosed (80 SF);  
 Decks Wood Deck-Med (464 SF);  
 Additions 1 Story Frame (80 SF) (80 Bsmt SF);  
 1 Story Frame (720 SF) (720 Bsmt SF);  
 Garages Basement Stall - 2 stalls;  
 Main Area Square Feet 800

**Agricultural Buildings**

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Steel Utility Building	MACH SHED	40	60	1972	1
	Steel Utility Building		60	100	2008	1

**Permits**

Permit #	Date	Description	Amount
4990	11/30/2007	New Bldg	50,000



### Valuation

Classification	2020	2019	2018	2017
Residential				
+ Assessed Land Value	\$43,230	\$43,230	\$27,390	\$27,390
+ Assessed Building Value	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$210,990	\$210,990	\$205,870	\$205,870
= Gross Assessed Value	\$254,220	\$254,220	\$233,260	\$233,260
- Exempt Value	\$0	\$0	\$0	\$0
= Net Assessed Value	\$254,220	\$254,220	\$233,260	\$233,260

### Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

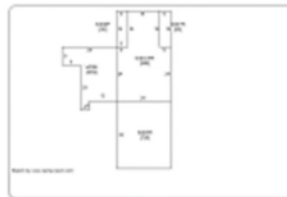
### Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

### Photos



### Sketches



No data available for the following modules: Commercial Buildings, Yard Extras, Sales, Valuation History (Sioux City), Sioux City Tax Credit Applications.





**APPLICATION**

**WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION**

Applicant: Gregory M. and Carolyn R. Anderson  
Name of Owner

Mailing Address: 1779 110th St. Sioux City, IA 51108-8014  
Street City or Town State and Zip + 4

Property Address: 1779 110th St. Sioux City, IA 51108-8014  
Street City or Town State and Zip + 4

Ph/Cell #: (712)490-7794 E-mail Address: hvacgma@aol.com

To subdivide land located in the SE Quarter of Section 3

Civil Township Concord GIS Parcel # 894603400008

Name of Subdivision: Anderson's Country Estates

Subdivision Area in Acres 8.55 Number of Lots 2

**Attachments:**

1. Ten (10) copies of grading plans; if required.
2. Twenty six (26) copies of final plats (Complete per Section 4.01 of the Subdivision Ordinance).
3. An attorney's opinion of the abstract.
4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.

*SWSE<sup>2</sup>  
Concord*

Surveyor: Justin Jensen Ph/Cell: (515)576-7155

Attorney: Jeremy Saint Ph/Cell: (712)277-4561

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: *Gregory M. Anderson*

Zoning Director: *D. P. Zoning Coordinator*

**For Office Use Only:**

Zoning District AE Flood District X Date \_\_\_\_\_ No. 6596

Application Fee \_\_\_\_\_ 4 Lots or less (\$200) \$ 200 CL# 70119

5 Lots or more (\$250 plus \$5 per lot) \_\_\_\_\_



# ANDERSON'S COUNTRY ESTATES WOODBURY COUNTY, IOWA FINAL PLAT



617 Pierce Street, Ste 201  
Sioux City, Iowa 51101  
712-224-4613  
fax 515-576-4235

INDEX LEGEND
CITY: N/A
COUNTY: WOODBURY
TRS: SECTION 3, T89N, R46W
ALIQUOT PART: SE1/4 SE1/4
PROPRIETOR: GREGORY & CAROLYN ANDERSON
REQUESTED BY: GREG ANDERSON
SURVEYOR: JUSTIN JENSEN
COMPANY: MCCLURE
RETURN TO: JUSTIN JENSEN 705 1ST AVENUE NORTH FORT DODGE, IOWA 50501 / 515-576-7155

## LEGAL DESCRIPTION PER DEED ROLL 253 IMAGE 2349:

PART OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THREE (3), TOWNSHIP EIGHTY-NINE (89) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4); THENCE NORTH ZERO DEGREES TWENTY-THREE MINUTES FIFTY-FIVE SECONDS (N 0°23'55") WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (1/4) FOR ONE THOUSAND THREE HUNDRED EIGHT AND THIRTY-THREE HUNDREDTHS FEET (1308.33') TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4); THENCE SOUTH EIGHTY-NINE DEGREES THIRTY-FOUR MINUTES FORTY-ONE SECONDS (S89°34'41") EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) FOR THREE HUNDRED SIXTY-SIX AND THIRTY-FIVE HUNDREDTHS FEET (366.35'); THENCE SOUTH ONE DEGREE FIVE MINUTES AND ONE SECOND (S 1°05'01") WEST FOR FOUR HUNDRED THIRTY-THREE AND SIXTY-TWO HUNDREDTHS FEET (433.62'); THENCE SOUTH EIGHTY DEGREES FORTY-SIX MINUTES TWENTY-SEVEN SECONDS (S80°46'27") EAST FOR SEVENTEEN AND FIFTY-TWO HUNDREDTHS FEET (17.52'); THENCE SOUTH TWO DEGREES THIRTY-SIX MINUTES THIRTY-SEVEN SECONDS (S 2°36'37") EAST FOR FORTY-FOUR AND SEVENTY-FOUR HUNDREDTHS FEET (44.74'); THENCE SOUTH TWENTY EIGHT DEGREES EIGHT MINUTES FIVE SECONDS (S28°08'05") WEST FOR FORTY-SEVEN AND SIXTEEN HUNDREDTHS FEET (47.16'); THENCE SOUTH FORTY-FOUR DEGREES AND ONE MINUTE THIRTY-FIVE SECONDS (S 44°01'35") WEST FOR ONE HUNDRED SIXTY-EIGHT AND FORTY-TWO HUNDREDTHS FEET (168.42'); THENCE SOUTH ZERO DEGREES FORTY-EIGHT MINUTES FIFTY-SEVEN SECONDS (S 0°48'57") WEST FOR THREE HUNDRED SIXTY-NINE AND EIGHTY-SIX HUNDREDTHS FEET (369.86'); THENCE SOUTH TWENTY DEGREES FORTY-THREE MINUTES FOURTEEN SECONDS (S 20°43'14") EAST FOR TWO HUNDRED FIFTEEN AND SEVENTEEN HUNDREDTHS FEET (215.17'); THENCE SOUTH EIGHT DEGREES THIRTY-ONE MINUTES THIRTY-FIVE SECONDS (S 8°31'35") EAST FOR NINETY-TWO AND THIRTY-NINE HUNDREDTHS FEET (92.39') TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4); THENCE NORTH EIGHTY-NINE DEGREES FIFTY-THREE MINUTES THIRTY-FOUR SECONDS (N 89°53'34") WEST ALONG SAID SOUTH LINE FOR THREE HUNDRED NINE AND FIFTY-SIX HUNDREDTHS FEET (309.56') TO THE POINT OF BEGINNING.  
SUBJECT TO RESTRICTIVE COVENANTS AND EASEMENTS OF RECORD, IF ANY.

## AUDITOR AND RECORDER'S CERTIFICATE:

STATE OF IOWA :  
COUNTY OF WOODBURY :SS

DOCKET NO: \_\_\_\_\_

FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. RECORDED IN PLAT ENVELOPE \_\_\_\_\_, INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED \_\_\_\_\_, 2020

\_\_\_\_\_  
PATRICK F. GILL, AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA  
BY: DIANE SWOBODA PETERSON, DEPUTY

## CONSENT OF OWNERS

GREGORY M. ANDERSON AND CAROLYN R. ANDERSON, THE OWNERS OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAS IN THE PURSUANCE OF THE LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF JUSTIN JENSEN, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS ANDERSON'S COUNTRY ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AS OWNERS AND PROPRIETORS THEREOF.

EXECUTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
GREGORY M. ANDERSON                      CAROLYN R. ANDERSON

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_:

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, 2020 BY GREGORY M. ANDERSON AND CAROLYN R. ANDERSON, HUSBAND AND WIFE.

\_\_\_\_\_  
NOTARY PUBLIC

## BOARD RESOLUTION NO.

RESOLUTION ACCEPTING AND APPROVING THE PLAT OF ANDERSON'S COUNTRY ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA.

WHEREAS, THE PLANNING AND ZONING COMMISSION AND THE WOODBURY COUNTY BOARD OF SUPERVISORS HAVE REVIEWED AND APPROVED THE FINAL PLAT OF ANDERSON'S COUNTRY ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA, AND WHEREAS APPROVAL OF THE FINAL PLAT OF ANDERSON'S COUNTRY ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA HAS BEEN RECOMMENDED TO THE WOODBURY COUNTY BOARD OF SUPERVISORS BY THE PLANNING AND ZONING COMMISSION. NOW, THEREFORE BE, AND IT IS, RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, THAT SAID FINAL PLAT OF ANDERSON'S COUNTRY ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA, AS HERETO ATTACHED AND FORMING PART OF THIS RESOLUTION BE, AND THE SAME HEREBY IS, ACCEPTED AND APPROVED.

DATED \_\_\_\_\_, 2020

ATTEST: \_\_\_\_\_ WOODBURY COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
PATRICK F. GILL, WOODBURY COUNTY  
AUDITOR AND RECORDER

STATE OF IOWA :  
COUNTY OF WOODBURY :SS

I, PATRICK F. GILL, WOODBURY COUNTY AUDITOR AND RECORDER, DO HEREBY CERTIFY THAT THE FOREGOING IS A FULL, TRUE, AND CORRECT COPY OF A RESOLUTION ACCEPTING AND APPROVING THE FINAL PLAT OF ANDERSON'S COUNTRY ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA, WHICH SAID RESOLUTION WAS ADOPTED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 AND APPROVED ON SAID DATE ALL AS FULL, TRUE AND COMPLETE AS THE SAME APPEARS OF RECORD IN THE OFFICE OF SAID AUDITOR AND RECORDER.

DATED \_\_\_\_\_, 2020

\_\_\_\_\_  
PATRICK F. GILL, WOODBURY COUNTY  
AUDITOR AND RECORDER

## TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS

I, MICHAEL R. CLAYTON, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

DATED \_\_\_\_\_, 2020

\_\_\_\_\_  
MICHAEL R. CLAYTON, TREASURER WOODBURY COUNTY, IOWA

## TITLE OPINION

WE HAVE THIS DATE EXAMINED A COMPLETE ABSTRACT OF TITLE, PURSUANT TO IOWA CODE SECTION 354.11(3), TO THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THE FINAL PLAT OF ANDERSON'S COUNTRY ESTATES, A MINOR SUBDIVISION TO WOODBURY COUNTY, IOWA, LAST CERTIFIED BY SEDGWICK TALLEY ABSTRACT COMPANY, ABSTRACTERS, DATED \_\_\_\_\_, 2020 AT \_\_\_\_\_ A.M. AND FROM SAID ABSTRACT FIND GOOD AND MERCHANTABLE TITLE TO SAID PREMISES VESTED IN GREGORY M. ANDERSON AND CAROLYN R. ANDERSON, HUSBAND AND WIFE, THE PROPRIETORS, FREE AND CLEAR OF ALL MORTGAGES, LIENS AND OTHER ENCUMBRANCES, EXCEPT AS FOLLOWS:

1. AN EASEMENT TO WOODBURY COUNTY, IOWA FOR PUBLIC HIGHWAY DATED MARCH 18, 1968 AND FILED MARCH 27, 1968 IN BOOK 1181, PAGE 178.
2. A DRIVEWAY EASEMENT RESERVED IN THE WARRANTY DEED DATED NOVEMBER 27, 1991 AND FILED NOVEMBER 27, 1991 IN ROLL 253, IMAGE 2349 AND DEPICTED ON THE SURVEY RECORDED NOVEMBER 18, 1991 IN ROLL 253, IMAGE 1219.
3. EASEMENTS AS SHOWN ON THE PLAT.

4. ALL CERTIFIED REAL ESTATE TAXES AND SPECIAL ASSESSMENTS, EXCEPT AS SHOWN HEREIN, DUE AND PAYABLE HAVE BEEN PAID. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS NOT CERTIFIED ARE A LIEN IN AN UNDETERMINED AMOUNT.

DATED \_\_\_\_\_, 2020

\_\_\_\_\_  
JEREMY B. SAINT  
ATTORNEY AT LAW

## AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OR TITLE OF THE ATTACHED SUBDIVISION PLAT AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED \_\_\_\_\_, 2020

\_\_\_\_\_  
PATRICK F. GILL, AUDITOR AND RECORDER, WOODBURY COUNTY, IOWA  
BY: DIANE SWOBODA PETERSON, DEPUTY

## COUNTY ENGINEER'S CERTIFICATE

I, MARK J. NAHRA, P.E., COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE AND THAT ALL DIMENSIONS BOTH LINEAR AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, AND EASEMENTS, ARE SHOWN.

DATED \_\_\_\_\_, 2020

\_\_\_\_\_  
MARK NAHRA, P.E., COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA

## RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA:

RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA.

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVISEMENT THE PLAT OF ANDERSON'S COUNTRY ESTATES, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020 APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

\_\_\_\_\_  
CHRIS ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

## OVERHEAD ELECTRIC EASEMENT DESCRIPTION

A 30.00 FOOT WIDE STRIP EASEMENT FOR THE PURPOSE OF OVERHEAD ELECTRIC, BEING A PART OF LOT 1 OF ANDERSON'S COUNTRY ESTATES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE COUNTY OF WOODBURY, STATE OF IOWA THE CENTERLINE OF SAID EASEMENT BEING DESCRIBED AS FOLLOWS:

COMMENCING FROM THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N88°51'38"W, 127.03 FEET TO THE POINT OF BEGINNING; THENCE N09°03'22"E, 282.87' TO A POINT ON THE EAST LINE OF SAID LOT 1 AND TERMINATING. THE SIDE LINES BEING A 15.00 FOOT OFFSET ON BOTH SIDES OF SAID CENTERLINE, EXTENDING AND SHORTING SAID SIDE LINES SO AS TO TERMINATE AT THE PROPERTY LINE.

## DRIVEWAY EASEMENT DESCRIPTION

A DRIVEWAY EASEMENT BEING A PART OF LOT 2 OF ANDERSON'S COUNTRY ESTATES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE COUNTY OF WOODBURY, STATE OF IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE ALONG THE SOUTH LINE OF SAID LOT 2 N88°51'38"W, 40.47 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE ALONG THE WEST LINE OF SAID LOT 2 N07°29'40"W, 81.96 FEET; THENCE CONTINUING ALONG SAID WEST LINE N19°41'19"W, 218.72 FEET; THENCE CONTINUING ALONG SAID WEST LINE N01°49'55"E, 50.97 FEET; THENCE DEPARTING SAID WEST LINE S88°09'32"E, 39.99 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; THENCE ALONG SAID EAST LINE S01°50'28"W, 43.29 FEET; THENCE CONTINUING ALONG SAID EAST LINE S19°40'17"E, 215.08 FEET; THENCE CONTINUING ALONG SAID EAST LINE S07°35'22"E, 92.67 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 14.041 SQUARE FEET AND IS SUBJECT TO OTHER EASEMENTS AND RESTRICTIONS OF RECORD.

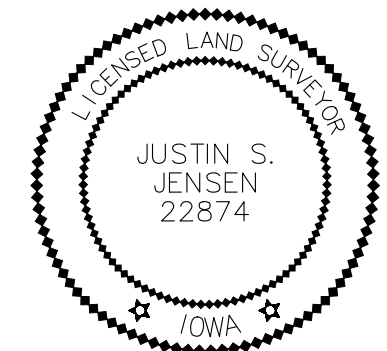
## BASIS OF BEARINGS

IOWA REGIONAL COORDINATE SYSTEM - ZONE 4

## AS SURVEYED DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 89 NORTH, RANGE 46 WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER N00°38'00"E, 1308.33 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER S88°27'54"E, 366.17 FEET TO THE NORTHWEST CORNER OF SCHROEDER COUNTRY ESTATES; THENCE ALONG THE WESTERLY LINE OF SAID SCHROEDER ESTATES S02°07'01"W, 433.12 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE S79°38'11"E, 17.45 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE S03°24'38"W, 44.71 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE S29°17'13"W, 47.16 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE S45°03'54"W, 168.38 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE S01°50'28"W, 369.75 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE S19°40'17"E, 215.08 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE S07°35'22"E 92.67 FEET TO THE SOUTHWESTERLY CORNER OF SAID SCHROEDER COUNTRY ESTATES; THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER N88°51'38"W, 309.56 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 8.89 ACRES, WHICH INCLUDES 0.35 ACRE OF EXISTING ROAD RIGHT-OF-WAY EASEMENT AND IS SUBJECT TO OTHER EASEMENTS AND RESTRICTIONS OF RECORD.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

NAME: \_\_\_\_\_

DATE: 9/28/2020

JUSTIN S. JENSEN, PLS  
NO. 22874

MY LICENSE RENEWAL DATE IS  
DECEMBER 31, 2020

PAGES OR SHEETS COVERED BY  
THIS SEAL:

2 SHEETS

ANDERSON'S  
COUNTRY ESTATES  
FINAL PLAT

WOODBURY COUNTY

201434

08/26/2020

REVISIONS

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ENGINEER

DRAWN BY

----

C. CARLETON

SURVEYOR

CREW CHIEF

J. JENSEN

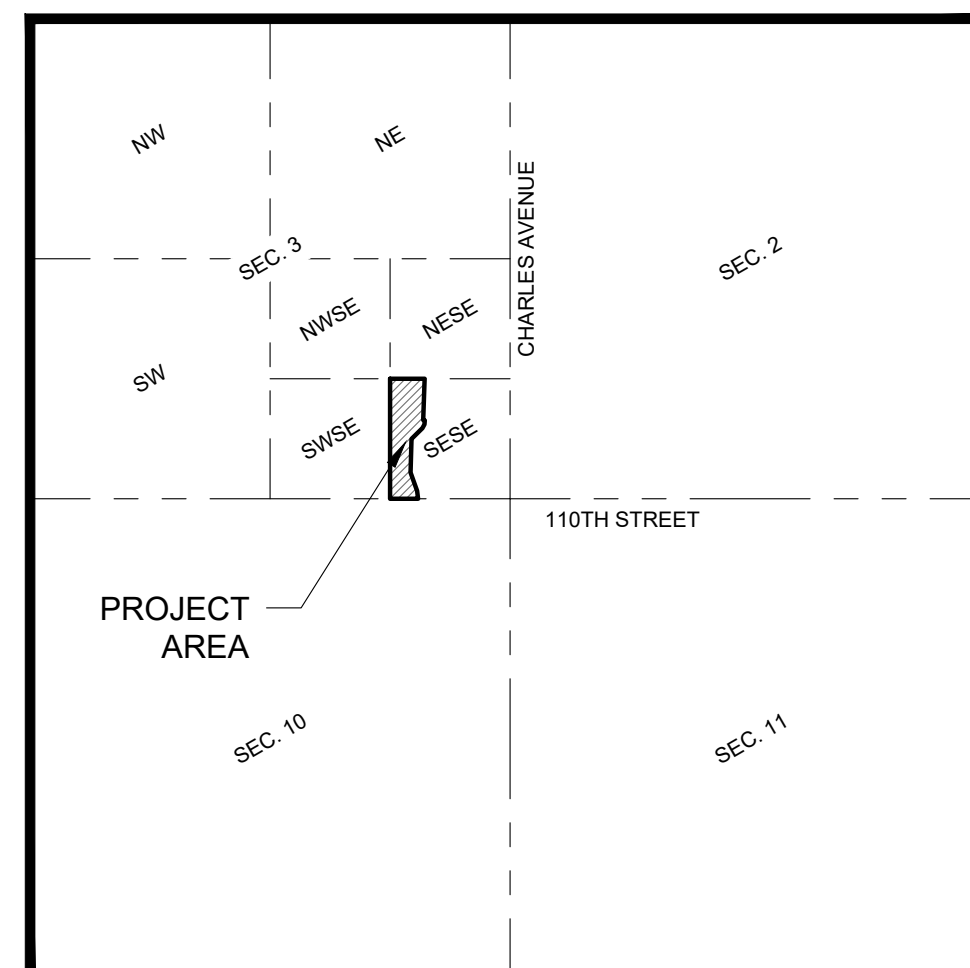
J. JENSEN

DRAWING NO.

SHEET NO.

FP-01

01/02



VICINITY MAP- NTS

GENERAL LEGEND	
———	SURVEY BOUNDARY
----	PROPOSED LOT
- - - -	EXIST PROPERTY LINE
----	SECTION LINE
----	R.O.W. LINE
- · - ·	PROPOSED EASEMENT
----	EXIST EASEMENT
MONUMENTS FOUND:	
▲	SECTION CORNER (TYPE AS NOTED)
●	1/2" REBAR W/YPC #5542 (UNLESS NOTED OTHERWISE)
MONUMENTS SET:	
△	SECTION CORNER
○	1/2" REBAR W/GPC #22874
○	1/2" REBAR W/GPC #22874
FND	FOUND
PG	PLASTIC CAP
BK, PG	BOOK AND PAGE
(M), (R)	MEASURED, RECORDED
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

DRAWING PATH: P:\201434-000\06-Drawings\Survey\201434\_ANDERSON.dwg PLOT DATE: 09/28/2020 3:14 PM PLOTTED BY: CONNOR CARLETON





## Minutes - Woodbury County Zoning Commission Meeting – September 28, 2020

The Zoning Commission (ZC) meeting convened on the 28th of September 2020 at 6:00 PM via teleconference due to the social distancing recommendations as a result of the COVID-19 virus.

ZC Members Present (Telephone): Chris Zellmer Zant, Tom Bride, Barb Parker  
County Staff Present: David Gleiser, Dan Priestley, Andy Pietz  
Public Present (Telephone): Matt Ott, Adam Jablonski, Kyle Specketer, Justen Jensen, Greg Anderson

### Call to Order

Chair Zellmer Zant formally called the meeting to order at 6:00 PM.

### Public Comment on Matters Not on the Agenda

No public comment for non-agenda items.

### Approval of Minutes

The August 24, 2020 minutes were approved. Motion by Commissioner Bride to approve; second by Commissioner Parker. Motion passed 3-0.

### Minor Subdivision Public Hearing – Anderson's Country Estates

Priestley delivered the staff report for the Anderson's Country Estates minor subdivision proposal. Property owners Gregory M. Anderson and Carolyn R. Anderson have submitted a minor subdivision application to split their parcel into two lots (Lot 1 – 3.46 total acres; Lot 2 – 5.43 total acres) to establish the Anderson's Country Estates subdivision for the purpose of establishing a residence on the proposed Lot 1. The property is identified as Parcel #894603400008 and located in T89N R46W (Concord Township) in the SE ¼ of the SE ¼ of Section 3. The address is 1779 110th Street, Sioux City, IA 51108. The property is located in the Agricultural Estates (AE) Zoning District and is not located in the floodplain. The proposed lots and existing structures on Lot 2 meet the requirements of the Woodbury County Zoning Ordinance including and not limited to the Zoning District Dimensional Standards of Section 3.04. Commissioner Bride inquired whether Lot 1 would have appropriate easement access for a drive from Lot 2. Commissioner Parker also shared the same concerns. Surveyor Justin Jensen confirmed there was up to 400 FT access. A motion was made by Commissioner Bride to approve the minor subdivision with the condition an affidavit be filed along with the plat with a corrected legal description based on the measured dimensions of the lots to assure an accurate legal description of both lots is carried forward in the future; second by Commissioner Parker. Motion passed 3-0.

### Conditional Use Permit Review – Electrical Energy Generation for a Photovoltaic Solar Electricity Generating System

Priestley delivered the staff report for MidAmerican Energy's conditional use permit application for electrical energy generation (not including wind) for the installation and operation of a photovoltaic solar electricity generating system on their property located on Parcel #874720300006 in T87N R47W (Liberty Township), Section 20, NW ¼ of the SW ¼ and the SW ¼ of the SW ¼. The property is located in the General Industrial (GI) Zoning District and not located in the floodplain. The staff found this proposal to meet the conditional use permit criteria contingent on the Federal Aviation Administration (FAA) providing a permissive determination to allow the project following their review to ensure there are no conflicts with their navigation signal reception system. A motion was made by Commissioner Parker to recommend approval of this conditional use permit to the Board of Adjustment contingent that the FAA provide a permissive determination for the project to proceed; second by Commissioner Bride. Motion passed 3-0.

### Public Comment on Matters Not on the Agenda

No public comment for non-agenda items.

### Commissioner Comment or Inquiry

Commissioner Bride inquired if Commissioner Parker's run for County Auditor would have an impact on her position on the Zoning Commission and the commission's ability to have a quorum. Staff will inquire with the county attorney's office if there would be any conflict if Commissioner Parker is elected.

Parker inquired about the application process to add new members to the Zoning Commission and Board of Adjustment. Priestley described the application process and Director Gleiser confirmed that the Board of Supervisors office has received one application. The board office will wait until they receive more applications to begin the review process.

Director Gleiser offered a status update about the county comprehensive plan. Over the last three years, the Community & Economic Development (CED) department and the Board of Supervisors have been working with cities in the county to update each individual city's comprehensive plan. As of June 2020, the city plans are complete, and the county is now at a level of readiness to update its comprehensive plan. Information can be obtained from the city plans including their future land use maps and then overlaid over the zoning map which will enable the county to examine areas where zoning districts might need to be changed. SIMPCO, the regional council of governments, was awarded \$400,000 from the US Economic Development Administration for planning projects within their service region. Woodbury County submitted an application to SIMPCO for \$100,000 to update the county comprehensive plan. Last week, SIMPCO notified the county they would be able to provide \$50,000. The Board of Supervisors will consider funding the remaining \$50,000 through the budget process and with approval

could enable the county to consider revising the comprehensive plan withing the next year. Director Gleiser highlighted this project as being well timed as the FEMA flood maps are also being updated. This plan would also give the county the ability to draft a new ordinance which could be a better alternative to just amending the existing ordinance. Commissioners Parker, Zellmer Zant and Bride agreed they would like a fully staffed commission for the consideration of the plan. Bride inquired if the primary reason to update the map is to address issues for potential expansions and the proposed updates from the incorporated areas. Gleiser stated that this is an update for the entire development plan. There are many departments in the county that have a vested interest and use the plan for seeking grant funding. The previous plan is reaching its shelf life and the opportunity is available to save \$50,000. The goals and visions of the comprehensive plan can be used as a basis for the development of new ordinances.

**Adjourn**

Motion by Commissioner Parker to adjourn; second by Commissioner Bride. Motion passed 3-0. Meeting adjourned at 6:45 PM.



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 10/01/2020

Weekly Agenda Date: 10/06/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Kenny Schmitz

**WORDING FOR AGENDA ITEM:**

Courthouse Chiller Project- Approve form of contract, plans, and specifications to be used in the competitive bid process.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Resource Consulting Engineers, in conjunction with CMBA Architects, and Raker Rhodes Engineering have provided plans, specifications, and form of contract to be utilized in the competitive bid process for the replacement of the Courthouse chiller (installed 1998).  
Current design has been improved upon to provide equipment that will have some redundancy allowing equipment operation during future temporary system repairs which we have not had the benefit of previously.  
Project estimates do not include costs to provide structural improvements to handle replacement equipment square footage load in the event current structure is found to be inadequate.  
RCE has been in contact with Nextant who is Mid-American Energy's consultant in charge of energy modeling and rebates. Mid-American has almost totally scaled-back it's energy rebate programs however this avenue will be pursued.  
It is imperative to replace equipment during the winter months. Product availability/ delivery time has already become a concern.

**BACKGROUND:**

**SPECIAL NOTE;**  
DUE TO DOCUMENT SIZE- PLANS, SPECIFICATIONS, AND FORMS OF CONTRACT WILL BE SENT AS A SEPERATE ATTACHMENT AND WILL BE AVAILABLE FOR REVIEW IN THE WOODBURY COUNTY BOARD OF SUPERVIOSRS OFFICE.  
June 2nd, 2020- Board of Supervisors approves Resource Consulting Engineers to provide Engineering & Architectural design services relative to the replacement of the Courthouse chiller.  
May 26th, 2020- Board of Supervisors receives information on chiller & need for project.  
April, 2020- Courthouse HVAC chiller experiences a severe refrigerant leak. Temporary repair (\$17,000) to mitigate leakage & refrigerant replacement is conducted. Major over-haul or replacement is advised.

**FINANCIAL IMPACT:**

To Be Determined by Competitive Bids  
2021 CIP- (\$250,000) Project # 9101-21 CHILLER  
Project Estimate Prior to Bid- \$875,000

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Approve the form of contract, plans, and specifications for the Courthouse Chiller Project to be used in the competitive bid process.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to approve the form of contract, plans, and specifications for the Courthouse Chiller Project to be used in the competitive bid process.

# AIA<sup>®</sup> Document A101<sup>®</sup> – 2017

## *Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum*

AGREEMENT made as of the seventeenth day of November in the year two thousand twenty

BETWEEN the Owner:

Woodbury County Courthouse – 2020 Chilled Water System Replacement  
Sioux City, IA

and the Contractor:

*(Name, legal status, address and other information)*

for the following Project:

Woodbury County Courthouse - 2020 Chilled Water System Replacement

Replacement of chilled water system serving Woodbury County Courthouse, including existing water-cooled chiller, pumps, accessories, etc. New system will utilize one (1) water-cooled chiller and one (1) air-cooled chiller, along with new pumps, controls, accessories, etc.

The Engineer:

Resource Consulting Engineers, LLC  
301 Alexander Avenue  
Suite C  
Ames, IA 50010

The Owner and Contractor agree as follows.

### ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

The parties should complete A101®-2017, Exhibit A, Insurance and Bonds, contemporaneously with this Agreement. AIA Document A201®-2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

TABLE OF ARTICLES

- 1 THE CONTRACT DOCUMENTS
- 2 THE WORK OF THIS CONTRACT
- 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- 4 CONTRACT SUM
- 5 PAYMENTS
- 6 DISPUTE RESOLUTION
- 7 TERMINATION OR SUSPENSION
- 8 MISCELLANEOUS PROVISIONS
- 9 ENUMERATION OF CONTRACT DOCUMENTS

EXHIBIT A INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary, and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement, and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be:  
(Check one of the following boxes.)

- The date of this Agreement.
- A date set forth in a notice to proceed issued by the Owner.
- Established as follows:  
(Paragraphs deleted)

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of this Agreement.

§ 3.2 The Contract Time shall be measured from the date of commencement of the Work.

§ 3.3 Substantial Completion

§ 3.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work:  
(Check one of the following boxes and complete the necessary information.)

- Not later than ( ) calendar days from the date of commencement of the Work.



[ X ] By the following date: April 23, 2021

§ 3.3.2 Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Contractor shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date
First Chiller Operational	March 19, 2021
Second Chiller Operational	April 16, 2021

§ 3.3.3 If the Contractor fails to achieve Substantial Completion as provided in this Section 3.3, liquidated damages, if any, shall be assessed as set forth in Section 4.3.

#### ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be (\$ ), subject to additions and deductions as provided in the Contract Documents.

#### § 4.2 Alternates

§ 4.2.1 Alternates, if any, included in the Contract Sum:

Item	Price
------	-------

*(Table deleted)*

*(Paragraphs deleted)*

§ 4.3 Liquidated damages, if any:

1. Liquidated damages of \$1,000 per calendar day shall be assessed if first chiller (either air-cooled or water-cooled) is not operational by March 19, 2021, until such time that it is fully operational.
2. Liquidated damages of \$1,000 per calendar day shall be assessed if second chiller is not operational by April 16, 2021, until such time that it is fully operational (this condition applies only if first chiller is operational prior to April 16, 2021).
3. If neither chiller is operational by April 16, 2021, liquidated damages for failing to meet both required schedule dates shall be \$2,000 per day, until such time that the system is fully operational (both air-cooled and water-cooled chillers operating).

*(Table deleted)*

*(Paragraphs deleted)*

*(Table deleted)*

*(Paragraphs deleted)*

#### ARTICLE 5 PAYMENTS

##### § 5.1 Progress Payments

§ 5.1.1 Based upon Applications for Payment submitted to the Engineer by the Contractor and Certificates for Payment issued by the Engineer, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month.

§ 5.1.3 Provided that an Application for Payment is received by the Engineer not later than the fifteenth day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the fifteenth day of the following month. If an Application for Payment is received by the Engineer after the application date fixed above, payment of the amount certified shall be made by the Owner not later than forty-five ( 45 ) days after the Engineer receives the Application for Payment.

Init.

*(Federal, state or local laws may require payment within a certain period of time.)*

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Engineer may require. This schedule of values, unless objected to by the Engineer, shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 In accordance with AIA Document A201™–2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

§ 5.1.6.1 The amount of each progress payment shall first include:

- .1 That portion of the Contract Sum properly allocable to completed Work;
- .2 That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and
- .3 That portion of Construction Change Directives that the Engineer determines, in the Engineer's professional judgment, to be reasonably justified.

§ 5.1.6.2 The amount of each progress payment shall then be reduced by:

- .1 The aggregate of any amounts previously paid by the Owner;
- .2 The amount, if any, for Work that remains uncorrected and for which the Engineer has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201–2017;
- .3 Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;
- .4 For Work performed or defects discovered since the last payment application, any amount for which the Engineer may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201–2017; and
- .5 Retainage withheld pursuant to Section 5.1.7.

#### § 5.1.7 Retainage

§ 5.1.7.1 For each progress payment made prior to Substantial Completion of the Work, the Owner may withhold the following amount, as retainage, from the payment otherwise due:

Five percent (5%).

*(Paragraphs deleted)*

§ 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201–2017.

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

#### § 5.2 Final Payment

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Engineer.

Init.



§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Engineer's final Certificate for Payment.

*(Paragraphs deleted)*

## ARTICLE 6 DISPUTE RESOLUTION

### § 6.1 Initial Decision Maker

The Engineer will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker.

*(Paragraphs deleted)*

### § 6.2 Binding Dispute Resolution

For any Claim subject to, but not resolved by, mediation pursuant to Article 15 of AIA Document A201–2017, the method of binding dispute resolution shall be as follows:

*(Check the appropriate box.)*

Arbitration pursuant to Section 15.4 of AIA Document A201–2017

Litigation in a court of competent jurisdiction

Other *(Specify)*

If the Owner and Contractor do not select a method of binding dispute resolution, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.

## ARTICLE 7 TERMINATION OR SUSPENSION

§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2017.

*(Paragraphs deleted)*

§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201–2017.

## ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2017 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 The Owner's representative:

*(Name, address, email address, and other information)*

Kenny Schmitz  
Director of Building Services  
Woodbury County  
401 8<sup>th</sup> Street  
Sioux City, IA 51101

§ 8.3 The Contractor's representative:

*(Name, address, email address, and other information)*

Init.

§ 8.4 Neither the Owner's nor the Contractor's representative shall be changed without ten days' prior notice to the other party.

§ 8.5 Insurance and Bonds

§ 8.5.1 The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A101™-2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A, Insurance and Bonds, and elsewhere in the Contract Documents.

§ 8.5.2 The Contractor shall provide bonds as set forth in AIA Document A101™-2017 Exhibit A, and elsewhere in the Contract Documents.

§ 8.6 Notice in electronic format, pursuant to Article 1 of AIA Document A201-2017, may be given in accordance with AIA Document E203™-2013, Building Information Modeling and Digital Data

*(Paragraphs deleted)*  
Exhibit.

*(Paragraphs deleted)*

**ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS**

§ 9.1 This Agreement is comprised of the following documents:

- .1 AIA Document A101™-2017, Standard Form of Agreement Between Owner and Contractor
- .2 AIA Document A101™-2017, Exhibit A, Insurance and Bonds
- .3 AIA Document A201™-2017, General Conditions of the Contract for Construction
- .4 AIA Document E203™-2013, Building Information Modeling and Digital Data Exhibit, dated as indicated below:

*(Insert the date of the E203-2013 incorporated into this Agreement.)*

- .5 Drawings

Number	Title	Date
--------	-------	------

- .6 Specifications

Section	Title	Date	Pages
---------	-------	------	-------

- .7 Addenda, if any:

Number	Date	Pages
--------	------	-------

Portions of Addenda relating to bidding or proposal requirements are not part of the Contract Documents unless the bidding or proposal requirements are also enumerated in this Article 9.

*(Table deleted)(Paragraphs deleted)*

*(Paragraphs deleted)*

This Agreement entered into as of the day and year first written above.

\_\_\_\_\_  
OWNER *(Signature)*

\_\_\_\_\_  
CONTRACTOR *(Signature)*

\_\_\_\_\_  
*(Printed name and title)*

\_\_\_\_\_  
*(Printed name and title)*

Init.



# Additions and Deletions Report for AIA® Document A101® – 2017

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 11:31:26 ET on 10/01/2020.

## PAGE 1

~~AGREEMENT made as of the day of in the year~~  
~~(In words, indicate day, month and year.)~~ seventeenth day of November in the year two thousand twenty

...

~~(Name, legal status, address and other information)~~  
Woodbury County Courthouse – 2020 Chilled Water System Replacement  
Sioux City, IA

...

~~(Name, location and detailed description)~~  
Woodbury County Courthouse - 2020 Chilled Water System Replacement

...

Replacement of chilled water system serving Woodbury County Courthouse, including existing water-cooled chiller, pumps, accessories, etc. New system will utilize one (1) water-cooled chiller and one (1) air-cooled chiller, along with new pumps, controls, accessories, etc.

~~The Architect/Engineer:~~  
~~(Name, legal status, address and other information)~~

Resource Consulting Engineers, LLC  
301 Alexander Avenue  
Suite C  
Ames, IA 50010

## PAGE 2

The date of this Agreement.

...

Established as follows:  
*(Insert a date or a means to determine the date of commencement of the Work.)*

## PAGE 3

By the following date: April 23, 2021

...

<u>First Chiller Operational</u>	<u>March 19, 2021</u>
<u>Second Chiller Operational</u>	<u>April 16, 2021</u>

§ 3.3.3 If the Contractor fails to achieve Substantial Completion as provided in this Section 3.3, liquidated damages, if any, shall be assessed as set forth in Section 4.5.4.3.

...

§ 4.2.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Agreement. Upon acceptance, the Owner shall issue a Modification to this Agreement. *(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)*

Item	Price	Conditions for Acceptance
------	-------	---------------------------

§ 4.3 Allowances, if any, included in the Contract Sum:  
*(Identify each allowance.)* Liquidated damages, if any:

- .1 Liquidated damages of \$1,000 per calendar day shall be assessed if first chiller (either air-cooled or water-cooled) is not operational by March 19, 2021, until such time that it is fully operational.
- .2 Liquidated damages of \$1,000 per calendar day shall be assessed if second chiller is not operational by April 16, 2021, until such time that it is fully operational (this condition applies only if first chiller is operational prior to April 16, 2021).
- .3 If neither chiller is operational by April 16, 2021, liquidated damages for failing to meet both required schedule dates shall be \$2,000 per day, until such time that the system is fully operational (both air-cooled and water-cooled chillers operating).

Item	Price
------	-------

§ 4.4 Unit prices, if any:  
*(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)*

Item	Units and Limitations	Price per Unit (\$0.00)
------	-----------------------	-------------------------

§ 4.5 Liquidated damages, if any:  
*(Insert terms and conditions for liquidated damages, if any.)*

§ 4.6 Other:  
*(Insert provisions for bonus or other incentives, if any, that might result in a change to the Contract Sum.)*

...

§ 5.1.1 Based upon Applications for Payment submitted to the ~~Architect~~ Engineer by the Contractor and Certificates for Payment issued by the ~~Architect~~, Engineer, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:



month.

§ 5.1.3 Provided that an Application for Payment is received by the ~~Architect-Engineer~~ not later than the fifteenth day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the fifteenth day of the following month. If an Application for Payment is received by the ~~Architect-Engineer~~ after the application date fixed above, payment of the amount certified shall be made by the Owner not later than forty-five ( 45 ) days after the ~~Architect-Engineer~~ receives the Application for Payment.

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§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the ~~Architect-Engineer~~ may require. This schedule of ~~values-values, unless objected to by the Engineer,~~ shall be used as a basis for reviewing the Contractor's Applications for Payment.

...

- 3 That portion of Construction Change Directives that the ~~Architect-Engineer~~ determines, in the ~~Architect's-Engineer's~~ professional judgment, to be reasonably justified.

...

- 2 The amount, if any, for Work that remains uncorrected and for which the ~~Architect-Engineer~~ has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201–2017;

...

- 4 For Work performed or defects discovered since the last payment application, any amount for which the ~~Architect-Engineer~~ may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201–2017; and

...

(Insert a percentage or amount to be withheld as retainage from each Application for Payment. The amount of retainage may be limited by governing law.)

Five percent (5%).

§ ~~5.1.7.1.1~~ The following items are not subject to retainage:

*(Insert any items not subject to the withholding of retainage, such as general conditions, insurance, etc.)*

§ ~~5.1.7.2~~ Reduction or limitation of retainage, if any, shall be as follows:

*(If the retainage established in Section 5.1.7.1 is to be modified prior to Substantial Completion of the entire Work, including modifications for Substantial Completion of portions of the Work as provided in Section 3.3.2, insert provisions for such modifications.)*

§ ~~5.1.7.3~~ Except as set forth in this Section 5.1.7.3, upon Substantial Completion of the Work, the Contractor may submit an Application for Payment that includes the retainage withheld from prior Applications for Payment pursuant to this Section 5.1.7. The Application for Payment submitted at Substantial Completion shall not include retainage as follows:

*(Insert any other conditions for release of retainage upon Substantial Completion.)*

...

.2 a final Certificate for Payment has been issued by the Architect/Engineer.

§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

Engineer's final Certificate for Payment.

§ 5.3 Interest

~~Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located. (Insert rate of interest agreed upon, if any.)~~

~~—%~~

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The Architect/Engineer will serve as the Initial Decision Maker pursuant to Article 15 of AIA Document A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker.

~~(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)~~

...

Litigation in a court of competent jurisdiction

...

§ 7.1.1 ~~If the Contract is terminated for the Owner's convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows:~~

~~(Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner's convenience.)~~

...

Kenny Schmitz  
Director of Building Services  
Woodbury County  
401 8<sup>th</sup> Street  
Sioux City, IA 51101

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§ 8.6 Notice in electronic format, pursuant to Article 1 of AIA Document A201–2017, may be given in accordance with AIA Document E203™–2013, Building Information Modeling and Digital Data Exhibit, if completed, or as otherwise set forth below:

*(If other than in accordance with AIA Document E203–2013, insert requirements for delivering notice in electronic format such as name, title, and email address of the recipient and whether and how the system will be required to generate a read receipt for the transmission.)*

Exhibit.

§ 8.7 Other provisions:

...

.8 Other Exhibits:

*(Check all boxes that apply and include appropriate information identifying the exhibit where required.)*

AIA Document E204™–2017, Sustainable Projects Exhibit, dated as indicated below:  
*(Insert the date of the E204–2017 incorporated into this Agreement.)*

\_\_\_\_\_

The Sustainability Plan:

Title	Date	Pages
-------	------	-------

Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
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.9 Other documents, if any, listed below:

*(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201™–2017 provides that the advertisement or invitation to bid, Instructions to Bidders, sample forms, the Contractor's bid or proposal, portions of Addenda relating to bidding or proposal requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such documents should be listed here only if intended to be part of the Contract Documents.)*



## **Certification of Document's Authenticity**

**AIA® Document D401™ – 2003**

I, \_\_\_\_\_, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with its associated Additions and Deletions Report and this certification at 11:31:26 ET on 10/01/2020 under Order No. 9548269115 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A101™ – 2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, as published by the AIA in its software, other than those additions and deletions shown in the associated Additions and Deletions Report.

\_\_\_\_\_  
*(Signed)*

\_\_\_\_\_  
*(Title)*

\_\_\_\_\_  
*(Dated)*



**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

#10b

Date: 10/01/2020

Weekly Agenda Date: 10/06/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Kenny Schmitz

**WORDING FOR AGENDA ITEM:**

Woodbury County Courthouse Chiller Project- Pursuant to Iowa Code; Set Public Hearing Date, Time, Place, and approve Publication Notice of Hearing.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

Pursuant to Iowa Code; Set Public Hearing Date, Time, Place, and approve Publication Notice of Hearing.

**BACKGROUND:**

June 2nd, 2020- Board of Supervisors approves Resource Consulting Engineers to provide Engineering & Architectural design services relative to the replacement of the Courthouse chiller.

May 26th, 2020- Board of Supervisors receives information on chiller & need for project.

April, 2020- Courthouse HVAC chiller experiences a severe refrigerant leak. Temporary repair (\$17,000) to mitigate leakage & refrigerant replacement is conducted. Major over-haul or replacement is advised by Trane Company.

**FINANCIAL IMPACT:**

To Be Determined by Competitive Bids  
2021 CIP- (\$250,000) Project #9101-21 CHILLER  
Project Estimate (Prior to Bid)- \$875,000

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Set Chiller Project hearing date of October 13th, 2020, 4:45 PM at the Woodbury County Courthouse Board of Supervisors Meeting Room Lower Level and approve Publication Notice of Hearing.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to set Woodbury County Chiller Project hearing date of October 13th, 2020, 4:45 PM at the Woodbury County Courthouse Board of Supervisors Meeting Room Lower Level.

**To Be Posted on or Before October 7<sup>th</sup>, 2020**

Notice of Public Hearing:

At 4:45 PM on Tuesday, October 13, 2020, at the Board of Supervisors Meeting in the lower level, Woodbury County Courthouse, a hearing will be held on the proposed drawings, specifications, and form of contract, for the Woodbury County Courthouse Chiller Project, and at said hearing any interested person may appear and file objections thereto, or to the cost of said improvements.

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

**#11**

Date: 10/02/2020 Weekly Agenda Date: 10/06/2020

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Mark J. Nahra, Woodbury County Engineer

**WORDING FOR AGENDA ITEM:**

Approve contract for PCC Patching project number: PCC Patching 2020

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Give Direction

Other: Informational

Attachments

**EXECUTIVE SUMMARY:**

The Board awarded the bid for the PCC pavement repairs on various county roads at their September 22, 2020 meeting. Contracts have been returned for Board approval.

**BACKGROUND:**

As needed, the county secondary road department prepares plans for PCC pavement patching to repair areas damaged by traffic, overloads, or pavement blowups. The project will be constructed during the 2020 construction season.

**FINANCIAL IMPACT:**

The project is paid for with Woodbury County secondary road funds from the maintenance area of our budget.

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Recommend that the board approve the contract for PCC Patching-2020 project.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion that the board approve the contract for PCC Patching-2020 project.



## WOODBURY COUNTY CONTRACT

Kind of Work P.C.C. Patching at various locations in Woodbury County Miles \_\_\_\_\_

Project No. P.C.C. Patching 2020 County Woodbury

THIS AGREEMENT made and entered by and between Woodbury County, Iowa, by its Board of Supervisors consisting of the following members: Matthew Ung, Rocky De Witt, Marty Pottebaum, Keith Radig, and Justin Wright, Contracting Authority, and Ten Point Construction Company of Denison, Iowa, Contractor.

WITNESSETH: That the Contractor, for and in consideration of \_\_\_\_\_

One Hundred Five Thousand Fifty One and 34/100 (\$105,051.34)

payable as set forth in the specifications constituting a part of this contract, hereby agrees to construct in accordance with the plans and specifications therefore, and in the locations designated in the notice to bidders, the various items of work as follows:

Item No.	Item	Quantity	Unit Price	Amount
PCC Patching at various locations in Woodbury County		Group 1		
1.	Full Depth Saw/Remove, Patch 8"	391.83 S.Y.	\$ 101.00	\$ 39,574.83
2.	Patch by Count	49 Each	\$ 59.00	\$ 2,891.00
3.	PCC 9" Full Depth Glenn Ellen Roadway and Radius	340.01 S.Y.	\$ 78.00	\$ 26,520.78
4.	Bridge Approach Reinforced Section	164.50 S.Y.	\$ 147.22	\$ 24,217.69
5.	Class 10 Roadway	150.00 C.Y.	\$ 15.00	\$ 2,250.00
6.	Mobilization	1 Lump Sum	\$ 4,950.00	\$ 4,950.00
7.	Traffic Control	1 Lump Sum	\$ 4,000.00	\$ 4,000.00
8.	Safety Closure	2 Each	\$ 150.00	\$ 300.00
9.	Modified Backfill, Place Only	86.76 C.Y.	\$ 4.00	\$ 347.04
<b>TOTAL BID</b>				<b>\$105,051.34</b>

Said specifications and plans are hereby made part of and the basis of this agreement, and a true copy of said plans and specifications are now on file in the office of the County Engineer under date of September 10, 2020

That in consideration of the foregoing, the Contracting Authority hereby agrees to pay the Contractor, promptly and according to the requirements of the specifications the amounts set forth, subject to the conditions as set forth in the specifications.

That it is mutually understood and agreed by the parties hereto that the notice to bidders, the proposal, the specifications for Project No. PCC Patching 2020 in Woodbury County, Iowa, the within contract, the contractor's bond, and the general and detailed plans are and constitute the basis of contract between the parties hereto.

That it is further understood and agreed by the parties of this contract that the above work shall be commenced and completed on or before:

Approximate Starting Date	Specified Starting Date	Completion Date	Number of Working Days
		November 28 , 2020	

That time is the essence of this contract and that said contract contains all of the terms and conditions agreed upon by the parties hereto.

It is further understood that the Contractor consents to the jurisdiction of the courts of Iowa to hear, determine, and render judgment as to any controversy arising hereunder.

IN WITNESS WHEREOF the parties hereto have set their hands for the purposes herein expressed to this and three other instruments of like tenor, as the

\_\_\_\_\_ day of \_\_\_\_\_, 2020

Contractor: Ten Point Construction Co.

Contracting Authority: Woodbury County, Iowa

By \_\_\_\_\_

By \_\_\_\_\_  
Chairman

Date \_\_\_\_\_

Date \_\_\_\_\_